

CITY OF BRANSON
BOARD OF ADJUSTMENT
MINUTES
May 26, 2011

CALL TO ORDER: Chairperson Keller called the regular meeting of the City of Branson Board of Adjustment meeting to order at 7:00 p.m. at the City Council Chambers, 110 W. Maddux St., Branson, Missouri.

ROLL CALL

Boardmembers Present:	Edie, Farris, Miles and Chairperson Keller
Boardmembers Absent:	None
Staff Present:	Jim Lawson, Director of Planning and Development Joel Hornickel, Senior Planner Sonja Paden, Office Assistant II

BOARD BUSINESS

1. Approve Agenda

MOTION:

Motion by Boardmember Farris and seconded by Boardmember Miles to approve the format of the May 26, 2011 agenda.

AYES:	Boardmembers Edie, Farris, Miles and Chairperson Keller.
NOES:	None.
ABSTAIN:	None.
ABSENT:	None.

Motion to approve the May 26, 2011 agenda carried with a 4-0 vote.

2. Approve Minutes.

A. March 24, 2011.

MOTION:

Motion by Boardmember Miles and seconded by Boardmember Farris to approve the minutes of the March 24, 2011 meeting.

AYES:	Boardmembers Edie, Farris, Miles and Chairperson Keller.
NOES:	None.
ABSTAIN:	None.
ABSENT:	None.

Motion to approve the minutes of the March 24, 2011 meeting carried with a 4-0 vote.

OLD BUSINESS

KELLER: Tonight we do not have any old business that I'm aware of.

PUBLIC HEARING

3. Request for a Variance from Section 70-19 Pertaining to the Installation of an Off-Premise Sign at 3210 W. Highway 76, Branson, Missouri.
Project No. 11-19.1 (11-01900001)
Applicant: West 76 Church Of Christ

KELLER: Tonight's hearing is a public hearing for a variance request for section 70-19 pertaining to the installation of off-premise sign at 3210 West Highway 76, Branson, Missouri, which is designated as our project number 11-19.1. At this time, Joel would you like to bring up the screens and give us an update on this?

HORNICKEL: Absolutely. Mr. Chairman, members of the board. As you mentioned, this is a variance of section 70-19, which would occur at 3210 West Highway 76. The signage that we'll be discussing this evening is for the church that is located down the street at 206 Ellen Street. Again, the request is for a variance and pertaining to an installation of an off-premise sign. Couple of images on this first slide that I'd like to show you. This is the proposed location on this-- it actually is a concrete area surrounded by asphalt along Highway 76 that you see in this picture; that's the location that they're proposing for their sign. This is-- that area right there is what I just showed you above in the lower picture, and then I'll point out the existing sign that is up for this church, right next to this location, as well. Next slide is the vicinity map. The area that is outlined is the applicant's church this evening for the variance and, again, the location is at the corner of Ellen Street and Highway 76 up here. Next slide is a vicinity map showing that the church property is R-1 and then the property along West Highway 76 is commercial. Again, the applicant is requesting to be allowed to install an eighteen inch by twenty-four inch (18" x 24") two-sided off-premise metal sign at the intersection, as we mentioned earlier, West Highway 76 and Ellen Street, location again shown in the picture on the left. The owner of that business at that location, as you can see, which is the Silver Spur Western Wear, has given the applicant permission, if a variance is granted this evening, to put a sign in that location. And, again, we showed the sign across from this location that is currently there for the Church of Christ at the next door property. Just a couple of sections for reference for you this evening. Section 70-19, the off-premise signs, is what they're requesting a variance from. And what that states is a) that the city shall not issue any new permits for the construction of off-premise signs, except as otherwise provided in this chapter, and b) that nothing contained in this chapter shall be construed to limit the maintenance and repair of any existing off-premise signs. Another section that we wanted to include this evening for your reference is section 70-10 for commercial districts that-- number one, church signs. All sign regulations applicable to business establishments shall also apply to churches, and that number two, freestanding signs, (e) off-

premises signage. A maximum of ten percent (10%) of the sign face area, or ten percent (10%) of the usage of an electronic computerized message board, of any on-premise freestanding sign may contain one advertisement for one business operation not located on the premise. The next slide is some excerpts from a letter that was provided by the applicant and I'll just go through those for you this evening. The applicant's written application for a variance included:

1. "That people have been driving by us, missing us constantly, because of the very unique, extreme situation that exists, the reason being the Belgian Waffle and Pancake House and where it was built;"
2. "That many people call the church regularly and complain because they say that they drive right by and can't locate where to turn. Tourists call the church and complain saying they missed services because our sign is blocked. We are tucked in around the corner;"
3. "That the Belgian Waffle and Pancake House and where it was built. This business was built with a 16-inch set back from the sidewalk and 76 Country Boulevard right-of-way," and;
4. "That we know it's probably impossible to take this building down at this point and move it back to its proper set back requirements, so we are asking that you allow us to do something on our own to help offset this very unique, extreme situation that exists."

And what we wanted to do on the next slide was to show that the Belgian Waffle and Pancake House, which you can see in the lower slide right here, was built in 1975 and that the Ozarkland Store was built in 1970, which is this one where their current off-premise sign exists. You'll see in this picture that the Belgian waffle place does exist before their sign was installed at the Ozarkland store. So in other words, the situation existed before they put an off-premise sign at the location where it currently exists. And then the last slide this evening just explains your all's duties with variances this evening for reference, and that's the end of staff's report at this point.

KELLER: Thank you, Joel.

HORNICKEL: You're welcome.

KELLER: Would the applicant like to step up to the podium and state your name and you may speak to us at that time.

NORTH: I got it all written down here. Thank you very much for this opportunity to try to serve God's people, the church, and the people who visit the church, and that's what we're there for is to try to help their spiritual needs, and also to help them with a little food from time to time, so. Dear board of adjustments, and most respectfully, I submit that on behalf of the members of and the many visitors who visit Branson and the West 76 Church of Christ, we ask that you approve this request for this variance, to let us have this small directional sign. You did

make a mistake in the twenty-four inches (24") high. It was-- we were only-- and I have the letter right here, we were only asking for an eighteen by twenty inch (18" x 20") sign; just wanted to make that clear. Twenty-four would be nice, but we want to make it as small as we can and told the owner of the Silver Spur Western Wear Store, who's here, that it would be eighteen by twenty (18 x 20), so we want to keep our word with him, okay. The reasons are written in the letter of request that you showed and that I turned in to planning and the zoning department, but I have a few more reasons to say. It's not a long thing, but I would like to say this. We need this eighteen inch by twenty inch (18" x 20") directional sign because this is not about selling hamburgers or show tickets, and I donate most of my services to the church. I get about a hundred dollars (\$100) a week for gas and that's about it. So I'm donating my services; it's not to make me money. No, it's about the public being able to find the church the first time that they drive down the strip without confusion, you see. Number one, it's too dangerous to miss Ellen Street and then have to turn around in a filling station or through a show parking lot. This is too much of this going on in Branson right now; it's dangerous. And the second time-- the second thing is sometimes people need to find the church to get a little help with food or shelter or spiritual help with their life. We've-- the most that we've given away in food-- boxes of food was about three years ago and it was ninety-eight 55-pound boxes of food, I'm happy to say, for the needy and unemployed. We've done this for about four years in a row. And if you would talk to the mayor, she can tell you a little bit about our charity and our position in the community and what we have done for people to help them. So we are a charity organization, a tax-free entity. Through the years since we started, about eleven years ago, we have lost the attendance of visitors-- many visitors, people who can not find the church. When people come to Branson and they've only been here one time, it's hard to find their way around, and then with this Belgian Waffle and Pancake House sticking out six inches (6")-- sixteen inches (16") from the sidewalk, they drive right by our sign and then they call me on the phone, and they circle back and I have to explain. This is all in the letter there that-- how I have to repeat the same conversation over and over again, that you missed it, circle back and turn right now to Ellen Street. I tell them halfway between King Kong and the Titanic, and they laugh about that. But some people are just-- they just go on and they don't come to church or they'll go to church someplace else. So we're losing people that way. Our numbers have been on the decline in the past four years, partly the reason is gas prices, but also because of the need of this sign. The one we've got just doesn't do us much good coming from the real high-numbered area from east to west, where all the traffic comes in and goes down the strip because they pass right by. I put in the letter, if you-- and I don't know if you read it early enough to do it or not, but when you drive down the strip, see how long it takes you to see that little sign that we have up there. The sign that we're asking for is very small, but it would do us a lot of good and the community a lot of good and the visitors a lot of good by not missing and overshooting the turnoff. People miss the turnoff and just keep going, it seems like, and I'm asking this committee to help us and help all the people that I've mentioned, by allowing us to have this directive sign-- this directional sign. This was my objective and I hope it's your objective, too, to let us have this. If you'd like to question the owner of the Silver Spur Western Wear Store, he's happy to cooperate with us, and I hope we can get your cooperation, too. So I beg you to let us have this variance, and I'm ready to answer any questions that you might have to me.

KELLER: Thank you. I didn't catch your name.

NORTH: Jerry A. North. I didn't say it at the beginning?

KELLER: Okay.

NORTH: I'm so sorry.

KELLER: Okay. Thank you.

NORTH: Is that all I need to--

KELLER: No, let's see. Joel, could you put up the photos of the sign up there; it's on the strip there.

HORNICKEL: You want this one or an earlier one?

KELLER: Earlier one. Right there.

LAWSON: There; the one on the right.

KELLER: That one there. Now that sign there, the Church of Christ sign, has been there for how long?

LAWSON: Many years.

KELLER: Many years.

LAWSON: I'm not sure when--

HORNICKEL: Yea. It's--

NORTH: *(spoken away from the podium mic)* About eleven years.

HORNICKEL: And again, that--

NORTH: *(spoken away from the podium mic)* --the Belgian Waffle and Pancake House I usually had to get passed it almost before you can see the sign because it's setting back, so we're setting back and around.

HORNICKEL: Does--

NORTH: I had a few pictures that I turned in—

PADEN: Could I ask you to speak into the microphone, so I can have it for the record? Thank you.

NORTH: I thought I was blocking the view here. I had a few pictures that shows even more farther back here, how this sets out so far that you've driven on past the sign, especially if you're a visitor and you're not knowing exactly where to look for things. This is what causes the problem because we are tucked in around the corner when you're setting back here farther. I have more pictures, if you'd like to see them, but I turned in a bunch.

KELLER: Okay. Now is there a street sign for Ellen Street there?

HORNICKEL: Yes, there is.

LAWSON: Yes, there is. There is one.

HORNICKEL: It's actually located opposite of this corner on the--

KELLER: Okay.

HORNICKEL: --the other corner. And that section of code that I brought up, the 70-10, that explains why this is allowed. It's the ten percent (10%) or less of the signage they're able to have off-premise sign at that, and they very well could do the same thing at the Silver Spur, if they chose to, as well. That's an option for them and it's allowable by code.

NORTH: Do you want us to sign off on that-- as long as we get the sign off. I don't want to give any part of it to anybody else, if that's what I'm understanding.

EDIE: Mr. Chairman?

KELLER: Yes.

NORTH: I'm sorry.

EDIE: I have a couple of questions. One is the shrubbery just west of the location of the proposed sign, will you be able to see that sign coming from the other direction here?

NORTH: Yes, I think you will because this is the property line, *(spoken away from the podium mic)* and I got this information from the gentleman that owns the Silver Spur Western Wear Store. So if we locate it right in here, we going to be about in line with the [inaudible] and it will be visible very well in there because the telephone pole sits back here, and this right through here is deceiving because the telephone pole is farther on down, but it's actually not overshooting the strip; is that right, Gerald (sic)? It's not actually overshooting the strip.

PADEN: Can I ask you to speak into the microphone because the record-- we can't pick it up otherwise.

NORTH: I'm sorry. Okay. Do I need to repeat that?

KELLER: Yes, please.

NORTH: The shrubbery I don't think is going to be a problem. I've looked at it both ways. If you drive both ways, I think you'll see what I'm talking about. We're worried about the people coming from this way more than we are coming from this way because you can see the church sign good coming back this way. Now you can see that from the street there I think it would be looking pretty good. It'd be about right here. So, I don't know. I don't want you to have to cut any shrub.

LAWSON: Mr. Chairman. We're also concerned. I don't necessarily think that that sign will help any from the church standpoint because you can see the one they have, but it could cause a visibility problem for people getting in and out of Ellen Street. As you know in that particular area, it's pretty high speed and it is kind of difficult to get in and out there.

KELLER: Joel, can you put the arrow on Ellen Street at the turn-in right there where-- right. And the sign would go right behind, that's what--

HORNICKEL: Yes. This is--

KELLER: --the proposed--

LAWSON: It's almost the parking-- it almost seems like the parking lot.

KELLER: Yes.

HORNICKEL: There's the opening to Ellen Street right there and then the sign would sit as he had shown right on that-- basically where the sidewalk meets that interchange, so right.

KELLER: And is that a two-sided sign for the person--

NORTH: Yes.

KELLER: --that's there right now?

NORTH: Yeah. I put that in the letter, two-sided--

KELLER: No, no. The one that's on the existing sign--

NORTH: Oh, oh.

KELLER: --under there. Is that two-sided or one-sided sign?

NORTH: Oh, it's two-sided--

KELLER: The church--

NORTH: --but it does us little good from coming from this way because it's in around the corner; it's tucked in behind. If this building hadn't have been built where it is, it'd probably work fifty percent (50%) better. It does us little good from coming from east to west, very little good.

EDIE: My other question,--

NORTH: Yes.

EDIE: --Mr. Chairman. Have you considered enlarging the existing sign?

NORTH: We're going to repaint it. I talked to the planning and zoning director and it seems that we can do that, repaint it and make it black and make it look better, but you still can't see it coming from this way. Enlarge the sign? There is not room to do that. I think you have to -- the planning and zoning director is here -- you have to have eight feet (8') from the bottom to the ground, is that right? It can't be any--

LAWSON: We had looked at it and it could be enlarged some, yes; it could be.

NORTH: A few inches maybe is all.

EDIE: Thank you.

NORTH: When I measured it out, I had about-- I put it in there, I had about eight feet, two inches (8'2"), so. Is eight feet (8') the--

LAWSON: There's no-- for a sign, I'm not aware of any heights that you have to have.

NORTH: I don't know if I could get the owner to even approve that. If I ask him, he may just say take it down, you know. It's changed hands since we put the sign up about eleven years ago, so I don't really know how he feels about it, you know.

KELLER: Now, Jerry, am I clear that the owner of the Silver Spur is on that sign? Joel, could you put that arrow on that Silver Spur sign right-- right there, that he's-- will allow you to put another sign below that of certain dimension. Is that what we're also hearing?

NORTH: No.

KELLER: Okay.

NORTH: We're not-- we wasn't asking for it.

KELLER: Okay. I thought you brought that up then-- and you guys said you would be willing to do that also.

NORTH: No.

KELLER: No; okay.

NORTH: We didn't ask them to--

KELLER: Okay.

NORTH: --do that. I've driven both ways, and this will overcome the fact that this is setting sixteen inches (16") from the sidewalk. That's the problem that causes it because it's around the corner. So it seems like the easiest way to take care of the problem, most sensible way. I would like to make that also to be the kind of letters that glow in the dark that, you know-- the phosphorous letters that glow in the dark, and that way it can be seen at night. We need something that'll work around the clock for us, and when we change the other sign out and put black letters on there, I want to try to make it with phosphorous letters, too, to where that one will glow in the dark and work for us a little bit after night, so.

KELLER: Does anybody else have any members-- I mean any questions of Jerry?

MILES: I do, Mr. Chairman. Jerry--

NORTH: Yes.

MILES: --the sign will be right there by the fence?

NORTH: Uh-huh.

MILES: Where do you envision the sign-- I know in the information it said, I think, windshield high, I believe is the wording.

NORTH: Oh, well, I already know I'm not going to get that. It's got to be at least eight feet (8') off the ground.

MILES: Eight feet (8')?

NORTH: Yeah. Eight feet (8') and up--

MILES: Okay.

NORTH: --is the understanding that I'm--

MILES: Okay. That was my concern--

NORTH: Yeah.

MILES: --was for cars to be able to see.

NORTH: Uh-huh, yeah. I thought that was the ordinance. I'm sorry if I was wrong about that.

LAWSON: No.

NORTH: Eight feet (8') and up, it has to be.

LAWSON: Well, yes--

NORTH: Any sign.

LAWSON: Yes and-- not any sign because most of the signs you don't walk under, you know. It's a sign, so it's not an issue out on the street. Of course, this particular sign is not allowed, so there's no particular standard. But it would need to be high enough to where it would not block the view of someone coming out of the street.

NORTH: Sure. Well, I think I'm going to stick with the eight feet (8') and, above that, the actual signage. It's what I had in mind unless you think it'd be more advantageous to have it any lower. Traffic's real slow in that area and they got time to look over that way, you know, and that's why I put the windshield level in there, but I think it's better to have it up higher. I think it's better for you, is that right, to have it up eight feet (8') high; is that all right with you?

KELLER: Any other questions, comments?

FARRIS: I've got a question for Joel. Joel, could you show us the screen that has the picture of the neighborhood? Basically, the vicinity map.

HORNICKEL: Yes.

FARRIS: Okay. The area here is-- the one with the crossed lines, is-- what are the other-- is it in a residential neighborhood, everything else?

HORNICKEL: Yes, yes. This-- I mean, these are all single-family homes and these are single-family homes, as well.

LAWSON: I think the church was a home at one time.

HORNICKEL: Yes, that's-- I believe that's correct, as well.

NORTH: True.

FARRIS: And does it-- what kind of zoning is the actual parcel on that the church is located?

HORNICKEL: It is still zoned R-1.

LAWSON: It's residential.

HORNICKEL: And churches are allowed within that zoning district.

FARRIS: Okay.

NORTH: We got a variance when we moved in on that.

HORNICKEL: Yeah. It's just required to have a special use issued for them.

NORTH: That's right, special use.

FARRIS: Because I'm just trying to come to grips and maybe the applicant can help out, but, you know, sir, we have four of these questions that we have to answer 'yes' to every single one of these, and it's a tough analysis that we have to do--

NORTH: I understand.

FARRIS: --because, I mean, really, the ability to grant a variance is a pretty extraordinary power. Basically, our board has the ability under only a slight bit of circumstance to be able to say disregard an ordinance, essentially. The first of those questions that we'd have to answer 'yes' to is basically whether there's some special condition or circumstances that is present that is peculiar, that is particular, to your piece of property that is not applicable to any other land or structures in the same district, and that's the first thing. And I'm just trying to come to grips with that as to-- and we've had issues and, you know, things come up in the past and you do see that things sometimes are different. Sometimes lay of land, something will be way down or something like that, or out of the way.

NORTH: Well, most respectfully, it's--

FARRIS: What would yours be that would be different?

NORTH: The Belgian Waffle and Pancake House is sixteen inches (16") from the sidewalk, and you can't see around it, and they get by it before they can see it. That would be the special, unique situation; that's what I wrote in my letter there.

FARRIS: Okay.

LAWSON: As we mentioned before, the pancake house was there before they were there, so that makes it kind of an odd--

FARRIS: Well, and that's my-- yeah, I looked at that-- I looked-- you know, when I sat down to try and prepare for tonight's meeting, I looked at that as one of the particular circumstances myself. I was looking for the circumstance and from your letter, I looked at that. I looked at kind of the character of the neighborhood that you're in, you know, but there's other places down the strip that's kind of one block off, you know, that people are trying to access to off-- you know, off of-- off of Highway 76, also. And, you know, it may well be-- as Mr. Lawson pointed out, it may well be that with the fact that the pancake house was there before you and you came in and you've had the sign even there before you, whether kind of your remoteness is kind of tied then to one of the questions of whether the condition results from or is related to your actions, potentially.

NORTH: Well, you do what you can do. All we could afford was a hundred and fifty thousand dollars (\$150,000) for the property, so we took it, and we were lucky enough to get the one sign up there. But my phone rings on Sunday morning and other-- sometimes other people answer it and sometimes I do. And it's the same story over and over for about the last eleven years, you know, 'we overshot you,' 'we can't find you,' 'where you at,' you know. I got to repeat the same instructions over and over. And I call people and they're turning around in parking lots and in front of theaters and trying to get back to the church. That's a nuisance and it's dangerous, and I was trying to stop that for the people and stop that for myself, the problem for myself. I didn't cause the Belgian Waffle and Pancake House to be built there. Even when you take off the fact of that, 76 was widened and it made it worse that it really was to begin with to when it was just one lane, you know. It still was a gross violation of being too close. It was just pushed out there back when there was really no permits or regulations very much, and it's caused us problems. It's caused my neighbor problems, too. Maybe you'd want to tell them a little bit about how they overshoot [inaudible; *spoken away from the podium mic*]--

HORNICKEL: The one thing we would like to note is that the location of the Waffle House is not affecting the location of the applicant's church, which they're trying to have a sign for. The churches that do have signs on 76 are located on 76, and this is dealing with an off-premise sign for this evening, and that's the request.

NORTH: Well, all I can do is explain to you the situation and ask you to grant it on the problems we have and the problems it's causing the public, and hope that I get it.

FARRIS: Let me ask you about the second test of these four different tests. And that is that basically that the ordinance that, you know, interpretation-- literal interpretation of the off-premise sign ordinance, whether it deprives you, your property, of rights that are enjoyed by other properties in the same district. I guess my question would be, for staff, if someone wanted to put a church in and got permission, let's say off of Francis Street maybe due east in that lot right there, yeah. If there was a church that came in there and they had an off-premise sign up there at the intersection of N. Francis, they'd have the right to have an off-premise sign, as long as it met the ten percent (10%) requirements, things like that, right?

HORNICKEL: Absolutely.

FARRIS: Okay.

NORTH: But they wouldn't have the extreme-- excuse me, I guess I can talk-- they wouldn't have the extreme, unique situation we got because they would be on the other side of the Belgian Waffle and Pancake House, and the setbacks are all observed all the way back through there. That's why I said it's a unique, extreme situation, and I believe it is.

FARRIS: But some of that line of sight would be affected, if they had an off-premise sign off of Francis, at least some of it. I don't know what all that looks like on that block, but at least some of it would be affected, as they were driving down, at least coming east--

NORTH: Coming back the other way?

FARRIS: --east, coming down at least.

NORTH: No, I think it's far enough away that it wouldn't be affected at all. See, because you got another business up there. You've got that--

KELLER: Miniature golf course.

NORTH: Yeah, that golf course. And it's all the way-- it's back where it should be. Well, a golf course going right up to the property line is not that high to block it like this. It's just like a wedge stuck there. Have you driven past there and noticed that, the way it is? I wish we could go drive past there and you could observe. If you're a visitor or somebody coming to Branson the first time, I'd say ninety times out of a hundred you're going to drive right past there. And if you're a person who's a member of the Church of Christ, you're trying to find that particular church. You're going to drive right on by it because of that extreme, unique situation, and I say that most respectfully.

FARRIS: Let me ask you about the fourth test. We've covered the other three, but the fourth test would be, if the variance was granted, whether that would confer upon the church a privilege that's denied by the ordinance to other lands or structures in the same district.

NORTH: Well, I don't think so. I got my camera out back when it was snowing here a while back. This all-- we tried to do all this back around February, and I photographed a lot of signs that had already been granted in the past. I know some of them are off-premise, some of them are not, but they're still directional signs directing people down maybe two blocks away, one block away. Were you shown any of those pictures?

LAWSON: Those are all non-conforming signs. No one has been granted a sign to do an off-premise sign, like you've talked about. And everyone who would buy a cheaper piece of property several blocks off the strip would love to have a sign on the strip to advertise it, but that's-- when you're on the strip, you're paying a lot more money so that you can have that visibility. Everyone in Branson would love to have signs all up and down the strip, but.

FARRIS: I would probably point out to you also that, again, we've got to follow the ordinance and this is not, you know, the city council, you know.

NORTH: I understand.

FARRIS: The ordinance actually tells us that we cannot take into consideration other non-conforming uses or other non-conforming structures in the same area, so. While I can understand your point,--

NORTH: Well, this is--

FARRIS: --we're actually prohibited by ordinance from even taking that into consideration.

NORTH: It's a church. I mean, I would think it would be a little different for a church. We're not there to make bucks. We're there to help people and make sure the public can turn there the first time without having to turn around.

FARRIS: Actually, the--

NORTH: That's dangerous, you know.

FARRIS: --the variance ordinance relates equally to commercial establishments, residential establishments and, you know, churches alike, so, okay. Nothing further at this time from me.

KELLER: Any other questions, comments?

NORTH: Well, I don't know if Mr. [inaudible] might want to tell you how they overshoot his store, too, but that wouldn't have anything to do with this, I understand. But he's got the problem with people turning around and circling back, too.

KELLER: Okay, thank you, Mr. North.

NORTH: Thank you.

KELLER: At this time, we'd like to have a motion to approve the applicant's request as submitted.

FARRIS: The form that we make a motion is always to put it on the table and it's always to approve; is that correct?

LAWSON: Yes.

HORNICKEL: Always want to stay in the positive.

LAWSON: Positive motion.

FARRIS: I would move-- to place it on the table for a vote, I would move to approve the variance request. Would like to point out that-- as the applicant pointed out, that the request is for a eighteen by twenty-inch (18" x 20") sign, not the twenty-four that we had listed in the--

NORTH: [*spoken from the audience*] It's pretty small.

FARRIS: Okay. Just want to point out so the record was clear as to that dimension; that would be my motion.

KELLER: And a second?

EDIE: I'll second it.

KELLER: And with that we'll take a vote.

PADEN: Boardmember Edie?

EDIE: No.

PADEN: Boardmember Farris?

FARRIS: Nay.

PADEN: Boardmember Miles?

MILES: No.

PADEN: Chairperson Keller?

KELLER: No.

PADEN: Motion is denied with a four-zero vote.

The motion to approve Project No. 11-19.1 was denied with a 4-0 vote.

NORTH: [*spoken from the audience*] Thank you for listening to us.

KELLER: Thank you.

EXECUTIVE SESSION

KELLER: We don't have any executive sessions tonight.

ADJOURNMENT

KELLER: And with that, we'd have somebody make a motion for adjournment.

FARRIS: So moved.

KELLER: And a second?

EDIE: Second.

PADEN: Boardmember Edie?

EDIE: Yes.

PADEN: Boardmember Farris?

FARRIS: Yea.

PADEN: Boardmember Miles?

MILES: Yes.

PADEN: Chairperson Keller?

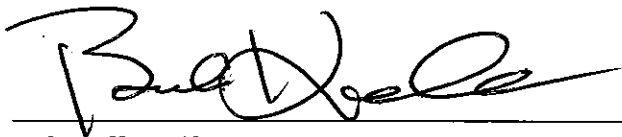
KELLER: Yes.

PADEN: Motion to adjourn passes with a four-zero vote.

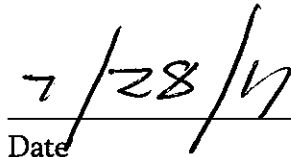
KELLER: Thank you.

MOTION:

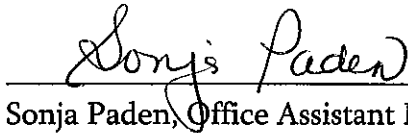
Motion by Boardmember Farris and seconded by Boardmember Edie to adjourn the meeting at 7:34 p.m.



Bob Keller, Chairperson



Date



Sonja Paden, Office Assistant II



Date